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14 Attorneys for Defendant  
15 SAMSUNG SEMICONDUCTOR, INC.

16 UNITED STATES DISTRICT COURT

17 NORTHERN DISTRICT OF CALIFORNIA

18 CHRISTOPHER RIPPEL, on behalf of  
19 himself and all others similarly situated,

20 Plaintiff,

21 v.

22 SAMSUNG ELECTRONICS CO., LTD., et  
23 al.,

24 Defendants.

CASE NO. 07-02066-SC

**STIPULATION EXTENDING TIME TO  
RESPOND TO COMPLAINT**

Complaint filed April 11, 2007

1 WHEREAS the undersigned Plaintiff Christopher Rippel has filed a Complaint in  
2 the above-captioned case on or about April 11, 2007;

3 WHEREAS more than twenty-one complaints, including Plaintiff's complaint,  
4 have been filed to date in the Northern District of California, and one complaint has been filed in  
5 the Southern District of New York by plaintiffs bringing class actions on behalf of either direct or  
6 indirect purchasers alleging price fixing by manufacturers of Flash Memory (collectively, "the  
7 Flash Memory Cases");

8 WHEREAS a motion is currently pending before the Judicial Panel on  
9 Multidistrict Litigation ("JPML") to transfer the Flash Memory Cases to a single judge for  
10 consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407;

11 WHEREAS eighteen of the Flash Memory Cases pending in the Northern District  
12 of California already have been related to the Honorable Judge Sandra B. Armstrong, and a  
13 motion is currently pending before Judge Armstrong to consider whether this and other actions  
14 pending in this District also should be related;

15 WHEREAS the parties believe that the Flash Memory Cases will be consolidated  
16 or coordinated either as multidistrict litigation ("MDL") or as a group of related cases within the  
17 Northern District of California, and anticipate that, in either instance, Plaintiffs will likely file  
18 separate Consolidated Amended Complaints for the direct and indirect Flash Memory Cases;

19 WHEREAS the parties have agreed that an orderly schedule for any response to  
20 the pleadings in the Flash Memory Cases is more efficient for the parties and for the Court;

21 WHEREAS Plaintiff agrees that the deadline for Samsung Semiconductor, Inc.  
22 ("SSI") to respond to the Complaint in the above-captioned case shall be extended until the earlier  
23 of the following two dates: (1) forty-five days after the filing of Consolidated Amended  
24 Complaints in the direct and indirect Flash Memory Cases either in the MDL transferee Court or  
25 in the Court in which the Flash Memory Cases pending in this District are consolidated and/or  
26 coordinated in the Northern District of California; or (2) forty-five days after Plaintiffs provide  
27 written notice to SSI that they do not intend to file Consolidated Amended Complaints in the  
28 direct and indirect Flash Memory Cases, provided that such notice may be given only at or after

1 the initial case management conference either in the MDL transferee Court or in the Court in  
2 which all Flash Memory Cases pending in this District are consolidated and/or coordinated in the  
3 Northern District of California;

4 WHEREAS Plaintiff further agrees that this extension is available, without further  
5 stipulation with counsel for Plaintiffs, to all named Defendants who notify Plaintiff in writing of  
6 their intention to join this extension;

7 WHEREAS Plaintiff and Defendant SSI (and any other named Defendants who  
8 provide notice of their intention to join this extension pursuant to the preceding paragraph) agree  
9 that each such defense counsel shall accept service on behalf of the Defendant that provided  
10 notice of its intention to join this extension of all complaints in the above-captioned matter,  
11 including any amended or consolidated complaints, and further, that such Defendant shall not  
12 contest the sufficiency of process or service of process. This Stipulation does not constitute a  
13 waiver of any other defense, including but not limited to, the defense of lack of personal or  
14 subject matter jurisdiction;

15 PLAINTIFF AND DEFENDANT SSI, BY AND THROUGH THEIR  
16 RESPECTIVE COUNSEL OF RECORD, HEREBY STIPULATE AS FOLLOWS:

17 1. The deadline for Defendant SSI to respond to the Complaint in the above-  
18 captioned case shall be extended until the earlier of the following two dates: (1) forty-five days  
19 after the filing of Consolidated Amended Complaints in the direct and indirect Flash Memory  
20 Cases either in the MDL transferee Court or in the Court in which the Flash Memory Cases  
21 pending in this District are consolidated and/or coordinated in the Northern District of California;  
22 or (2) forty-five days after Plaintiffs provide written notice to SSI that they do not intend to file  
23 Consolidated Amended Complaints in the direct and indirect Flash Memory Cases, provided that  
24 such notice may be given only at or after the initial case management conference either in the  
25 MDL transferee Court or in the Court in which all Flash Memory Cases pending in this District  
26 are consolidated and/or coordinated in the Northern District of California.  
27  
28

2. This extension is available, without further stipulation with counsel for Plaintiff, to all named Defendants who notify Plaintiff in writing of their intention to join this extension.

3. Defendant SSI (and any other named Defendants who provide notice of their intention to join this extension pursuant to the preceding paragraph) agree that each such defense counsel shall accept service on behalf of the defendant that provided notice of its intention to join the extension of all complaints in the above-captioned matter, including any amended or consolidated complaints, and further, that such defendant shall not contest the sufficiency of process or service of process. This Stipulation does not constitute a waiver of any other defense, including but not limited to, the defense of lack of personal or subject matter jurisdiction.

4. Plaintiff and Defendant SSI (and any other named Defendants who provide notice of their intention to join this extension pursuant to the preceding paragraph) agree that notwithstanding the above paragraphs, should any defendant to whom this extension applies respond to any complaint in another Flash Memory case filed in another United States District Court or a state court prior to the date contemplated by this Stipulation, then such defendant shall make a simultaneous response to the complaint in the above-captioned matter.

IT IS SO STIPULATED.

Dated: May 8, 2007

SHEPPARD, MULLIN, RICHTER & HAMPTON LLP

By: /s/ Mona Solouki  
Mona Solouki  
*Attorneys for Defendant Samsung Semiconductor, Inc.*

Dated: May 8, 2007

CAREY & DANIS



By: /s/ Michael J. Flannery  
Michael J. Flannery  
*Attorneys for Plaintiff Christopher Rippel*